

THE TOWN OF FOREST HEIGHTS  
RESOLUTION 47-20

**A RESOLUTION TO APPROVE A LICENSE AGREEMENT BETWEEN THE  
POTOMAC ELECTRIC POWER COMPANY (“PEPCO”) AND THE TOWN OF  
FOREST HEIGHTS (THE “TOWN”) ALLOWING THE USE OF TOWN PROPERTY  
TO CONSTRUCT AND OPERATE ELECTRIC VEHICLE CHARGING FACILITIES**

Introduced By: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, pursuant to Charter, §33–20(b)(41) (Property), the Council shall have the power to pass ordinances to acquire by conveyance, purchase of gift, real or leasable property for any public purposes; to erect buildings and structures thereon for the benefit of the Town and its inhabitants; and to convey any real or lease hold property when no longer needed for the public use, after having given at least twenty days’ public notice of the proposed conveyance; to control, protect and maintain public buildings, grounds and property of the Town; and

**WHEREAS**, the Town Council enacted Emergency Ordinance No. 06-15 on September 18, 2015, approving the purchase of real property located at 5433 Indian Head Highway; and

**WHEREAS**, pursuant to Charter, § 33–80 (Acquisition; possession; disposal), the Town may acquire real, personal, or mixed property for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Town; and

**WHEREAS**, pursuant to Resolution 28-18, adopted on May 16, 2018, the Town Council approved a Development Plan for the Community Gathering Space (Phase 2) located at 5433 Indian Head Highway; and

**WHEREAS**, the Development Plan referenced a conceptual site plan that included the following: a lighted above-ground stage situated between two pre-fabricated wooden pavilions, concrete walkways illuminated by solar concrete bollards, two (2) parking spaces with electric charging stations, three (3) sculptured benches, a wood picket fence for the property line, and a soil berm for safety; and

**WHEREAS**, the Town wishes to execute a license agreement outlining the parameters and conditions for use of a certain portion of the Town’s real properties located at 5433 Indian Head Highway and 5508 Arapahoe Drive in order to make available public electric vehicle charging stations.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council approves and adopts the agreement entitled “License Agreement for Electric Vehicle Charging Station Facilities,” attached hereto as Exhibit A and incorporated by referenced herein (the “License Agreement”); and

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**BE IT FURTHER RESOLVED**, the Town Council further delegates to the Mayor the requisite authority to execute said License Agreement on behalf of the Town provided that the number and location of the electric vehicle charging stations and the final installation plan, as referenced in the License Agreement, is submitted to the Council for its review and approval; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage.

PASSED this 22nd day of July 2020.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Yea

KENNEDY II

Yea

NOBLE

Yea

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

ATKINSON

Yea

ATTEST:

THE TOWN OF FOREST HEIGHTS

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

**SIGNATURE ON FILE**

Habeeb-Ullah Muhammad, Mayor

**SIGNATURE ON FILE**

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 22 day of July 2020 with 5 Aye votes and 0 Nay vote the aforesaid Resolution 47-20 passed.

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

Exhibit A (License Agreement)

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